

FRANKLIN COUNTY AREA PLAN COMMISSION
MEMORANDUM & MINUTES
July 14, 2021
COMMISSIONERS/COUNCIL PUBLIC MEETING ROOM 203

Those Present: Ruthie Mannix, President; Robert Braun, Vice-President; Ed Derickson, Christine Rains, and Rob Seig (via zoom). Also present was Cindy C. Orschell, Director. Absent: Tammy Davis, Connie, Rosenberger, Emily Ruffier, and Glenn Bailey.

Pledge of Allegiance

Roll Call

Minutes of June 9, 2021 - MOITON - Ed Derickson moved to approve minutes as corrected by Ed Derickson's revision, Robert Braun 2nd. AIF. MC.

Discussion on fines, planned business district, and advertising- Ruthie Mannix – referred to Cindy Orschell- on the fines. Cindy Orschell - we can hold off until Tammy Davis, Commission Attorney is present and on the Planned Business District, have it specifically state “any business use” instead of “any use”, so a residential use wouldn't require going before the board for approval. Ruthie Mannix– that make sense. Cindy Orschell- Section 80.03.09... “Because this is a planned district, all applications for any use in P-B District shall require a development plan and approval by the Board of Zoning Appeals”. Terry Duffy – weird provision, wanted to point out the residential use is a permitted use, and this would be to regulate businesses. Also in our previous codes, and most all other county codes these are separate sections for planned business, local business, and general business he feels we should to review and make a clear distinction. But also, feels this is a reasonable fix.

Ruthie Mannix – in the last sentence change “any use” to “ any business use”. This will require a public hearing, and asks for a motion to send to a public hearing. There are several things we can do at the same public hearing, if we finalize the wording. Cindy Orschell- we could make a motion to advertise and the public hearing date to be determined to do all amendments at same time. MOTION – Robert Braun moved to advertise “any business use” instead of “any use”, Christine Rains 2nd. Rob Seig (via zoom) – in favor. MC. AIF.

Advertising – Cindy Orschell - delete Section 80.11.08, E Notification to Newspapers, 1; we are already required by Indiana Code to advertise legal notice, and this large print and size is increasing publication cost and increasing the budget for the county. Ruthie Mannix– questioned E, 2. Leave the same? Cindy Orschell- keep public meetings, or any special meetings, just not in the larger print. Ruthie Mannix - An add “shall be required for meetings covering the following as per Indiana code”? Cindy Orschell– yes, that will work. Ruthie Mannix - Delete all of a and b. Cindy Orschell – yes. Ed Derickson- what's the reason to delete. Cindy Orschell - the cost, we are already required by Indiana Code to advertise, and this requires larger print, and larger ad; therefore increasing the advertising fee. A previous legal notice for advertisement was \$180.00. Ruthie Mannix – “All notices will be advertised per Indiana code”, take out all of a and b. Cindy Orschell– yes. Ed Derickson questions the Indiana Code number, Cindy Orschell – does not know the specific number, but can write up the proposed change and forward it to Tammy Davis

and the board. Cindy Orschell – felt this needed to be reviewed by the board to cut the cost. Ruthie Mannix - Hold off on advertising for this change, so we can do all advertising at same time.

New Business - Request for a Single Family Residence Permit in a Planned Business District for Samuel & Victoria Wurlzebacher at 9199 Oxford Pike in Section 15 of Brookville Township containing 3.66 acres, parcel # 24-10-15-300-009.000-003. Samuel and Tori Wurzelbacher were present. Ordinance requires the board's approval. Cindy Orschell– has everything required to obtain a building permit, and development plan is on file also. Ed Derickson, questions water? Tori Wurlzebacher– franklin county water company. Ed Derickson questions septic. Tori Wurlzebacher- there will be a pump, to be pumped uphill. Rob questioned the entrance? Tori Wurlzebacher- accessed off of Oxford Pike, it's been approved by highway department. Ed Derickson – he visited the site and even though it's a planned business district below the boat storage, it's all residential uses. MOTION – Robert Braun moved to accept this application for the residence, Christine Rains 2nd. Rob Seig (via zoom) in favor.

Camping – Cindy Orschell– we need to look at defining camping, having a lot of inquiries about put in RV's for camping. There's no specific time limit for camping, no definition and they are also wanting a 200 amp electrical service, that's typically the required amount for a single family residence.

Also would like to insert a diagram for site plans and development plans to help clarify and simplify, and lot width requirements. Ruthie Mannix - where lot width would be measured, Cindy Orschell yes, and some sample drawing on subdivisions. Also, to clarify "two lots contiguous less than 2 acres" would that include an adjoining parcel, for example. Ruthie Mannix– ask Cindy Orschell to produce sample drawings. Cindy Orschell – yes. Ruthie Mannix- is this something we want to include in the code. Cindy Orschell– referenced other ordinances where they had sample drawings and don't know how about going about it, if they can be insert them, ex. Figure 1 drawing. She will get with Tammy Davis and see what would be the best way to do that.

Ruthie Mannix– camping is something that needs to be added to zoning code. Cindy Orschell– yes, it needs to be defined. Christine Rains– campers call her office everyday wanting land with intentions to camp and go to Florida, and build a home when they retire. Robert Braun – if they stay for the whole summer that's more than camping, and with a 200 amp service perhaps they should go through the process including septic if they are going to be here for the summer. Now, if they spend a couple weeks and take the camper back, that's a different situation. Christine Rains - limit them and make them jump through more hoops, feels that would hurt our families trying to come to the county and enjoy our land. Ruthie Mannix– we don't want them to live in them permanently. Ed Derickson – if they live the 3 months out of the year, and health issues can occur. They need proper septic field. Christine Rains – grandfather the ones that already camping? Robert Braun- can't answer that. Ruthie Mannix - We don't want people permanently living in campers, what's the limit? Christine Rains– some campgrounds have holding tanks, is that permitted? Ruthie Mannix- Discussion to be continued.

Ruthie Mannix - Cindy Orschell- come up with sample drawings for site plans, and development plans that the board could consider. Ruthie Mannix - And the lot width diagrams, like this is

where we measure a lot? Cindy- yes, looking at the way a lot can be configured, I'm not having any issues with this and we can look at it down the road.

Violation Report –

Cregar – Ruthie Mannix – no word from surveyor yet? Cindy Orschell – no. Rob Seig – questioned this being Cummins Road, and stated he is actively working on it now. There are some gates on the county road, working to establish where the road is. Possibly within a week.

Smith - Tammy Davis attempted to notify them and it was returned, the next step would need to be sent by sheriff. **MOTION** – Robert Braun moved to send notification by Sheriff, Ed Derickson. MC. AIF.

Whipple – has been fined. Cindy Orschell – he is unavailable, and no way to reach him. Robert Braun - Commissioners ordinance? Could they address the violation? Cindy Orschell - Would that be the unsafe ordinance? Ed Derickson – no, Commissioners passed an ordinance for unkept property. Cindy Orschell - can get with Commissioners on this violation, and get clarification from Tammy Davis, if judge has ruled \$500.00 and \$500.00, what is the next step.

Matthews – Mike Bowling – adjoining property owner to Matthews. Asks for the property to get cleaned up, has boats, and cars, and the house has burnt down, and needs cleaned up. Ruthie Mannix – fines, and fees have been ordered by court. Robert Braun – get with Tammy Davis to see where we stand. Cindy Orschell-we have a new address, and it was attempted to send a certified letter, I have no update on them but will get with Tammy Davis. Ruthie Mannix - complaint in on inoperable cars, and questioned the remains of the burnt house? Cindy Orschell– yes, the original complaint was for vehicles, but I now have a signed complaint on the house. Ruthie Mannix– the commissioners filing a lien against the property, or add it to the tax bill? Cindy Orschell – unsure on the Commissioner, but will get with them and Tammy Davis on the next step.

Sara Duffy – get a copy of the ordinance the Commissioners adopted.

D&J Homes - Cindy Orschell– The person that lives there did stop in the office, but that is the only contact, will do a site visit next month.

Broering – appears they are cleaning up the property, will check again next month.

Sturgell – still working for compliance, will do a site visit

Godsey –the survey has been received, but still need to get permit. Letter will be sent making them aware of getting permit.

Rose – still in process, according to Mike Rose, the application has been filed with the State of Indiana.

Ison – I have had contact with him, in June, nothing as of today's date. Tammy Davis to send a letter.

Merrill – contactor has been in office, it's in the process.

Cooper – small accessory building, don't know if its large enough for a permit to be required but, a letter was sent to get them to contact us.

Klodzik – they filed an application for a permit but, installed pool without permit. I have sent a letter and the permit is in the process.

Adjournment – **MOTION** - Robert Braun moved to adjourn the meeting, Christine Rains 2nd. AIF. MC. Meeting adjourned at 7:58 PM.

Ruthie Mannix, President

Glenn Bailey, Recording Secretary